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MS Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 30, 2004.

*Brenda Campbell*  
Brenda Campbell

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In the application of:

Tracy D. WILKINS, *et al.*

Serial No.: 09/545,772

Filing Date: 10 April 2000

For: RECOMBINANT TOXIN A PROTEIN  
CARRIER FOR POLYSACCHARIDE  
CONJUGATE VACCINES

Examiner: V. Ford

Group Art Unit: 1645

**BRIEF ON APPEAL**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A Notice of Appeal is filed herewith. This is an Appeal from the final rejection, mailed May 5, 2004, of claims 1, 3, 6, 13-15, 19-20, 23-26, 28-31, 33, 36-39, and 62 in the above-referenced application. In accordance with 37 C.F.R. § 1.192, this Brief, along with the Appendix, is filed in triplicate and is accompanied by the required fee.

**1. Real Parties in Interest**

The real parties in interest in this appeal are the National Institutes of Health by virtue of an assignment recorded in the U.S. Patent and Trademark Office on December 20, 2002,

sd-207522 v1